

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JUAN CARLOS CRUZ,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 2:05-CV-877-F
)	
SCOTT MIDDLEBROOKS,)	
)	
Respondent.)	

O R D E R

Juan Carlos Cruz ["Cruz"], a federal inmate, filed a petition under 28 U.S.C. § 2241 challenging the respondent's failure to grant him a one-year reduction in sentence based on his completion of the Residential Drug Alcohol Program. However, Cruz did not file a motion for leave to proceed *in forma pauperis* with the necessary documentation from the prison account clerk nor did he submit the requisite \$5.00 filing fee. In light of the foregoing, it is

ORDERED that on or before September 30, 2005 the petitioner shall file either an affidavit in support of a request for leave to proceed *in forma pauperis* accompanied by a prison account statement from the account clerk at the Maxwell Federal Prison Camp showing the balance in his prison account at the time of his filing this petition or the \$5.00 filing fee.

To aid the petitioner in complying with this order, the CLERK is DIRECTED to furnish him with a copy of the form affidavit used by persons seeking to proceed *in forma*

pauperis before this court.

Done this 15th day of September, 2005.

/s/ Delores R. Boyd

DELORES R. BOYD

UNITED STATES MAGISTRATE JUDGE